

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING

DOCKET NOS. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C

Docket Summary: Joint Application of Birch Communications, Inc.; Birch Telecom of the South, Inc. d/b/a Birch Communications; and Ernest Communications, Inc. for Approval to Transfer Assets

Docket Summary: Application of Birch Communications, Inc. (f/k/a Access Integrated Networks, Inc. d/b/a Birch Communications) for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Interexchange Telecommunications Services Statewide

Docket Summary: Application of Birch Telecom of the South, Inc. d/b/a Birch Communications (f/k/a Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch) for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Interexchange (Toll) and Local Exchange Telecommunications Services within the State of South Carolina

Docket Summary: Application of Ernest Communications, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services

Birch Communications, Inc. ("Birch Communications"), Birch Telecom of the South, Inc. d/b/a Birch Communications ("Birch Telecom")(collectively, the "Company"), and Ernest Communications, Inc. ("Ernest") (Birch Communications, Birch Telecom and Ernest collectively, the "Joint Applicants") have filed a Verified Joint Application with the Public Service Commission of South Carolina ("Commission") seeking authority to transfer Ernest's telecommunications assets and South Carolina customer base to the Company. The Verified Joint Application was filed pursuant to S.C. Code Ann. §§ 58-9-280, 58-9-300, and 58-9-310. Pursuant to an Asset Purchase Agreement executed on May 30, 2013, Birch agreed to purchase the following assets from Ernest: certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Birch will not assume any of Ernest's pre-closing liabilities or obligations. Regarding rates and services, the Application states that upon receiving the required regulatory approvals, Birch Telecom will file any necessary tariff revisions to incorporate Ernest's current services and rates without any immediate changes to their service offerings or rates, and Birch Telecom will provide Ernest's customers with the same service quality for the provision of telecommunications services.

A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **Friday, July 12, 2013**, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. ***Please refer to Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C.***

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the

Direct correspondence to: Public Service Commission of South Carolina
Attention: Clerk's Office
Post Office Drawer 11649
Columbia, SC 29211